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10 Attorneys for Defendant  
11 THEODORE AARONS AND QUETA AARONS

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13 UNITED STATES DISTRICT COURT  
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15 NORTHERN DISTRICT OF CALIFORNIA  
16  
17 CIVIL DIVISION  
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19 JACKSON NATIONAL LIFE INSURANCE ) Case No.: 3:13-CV-01648 EMC  
20 COMPANY, )  
21 ) Complaint Filed: April 11, 2013  
22 )  
23 Plaintiff, )  
24 )  
25 v. ) STIPULATION RE REQUEST FOR  
26 ) CONTINUANCE OF CASE  
MONIKA M. FIMPEL; THEODORE ) MANAGEMENT CONFERENCE;  
AARONS; QUETA AARONS ) [PROPOSED] ORDER RE  
CONTINUANCE OF CASE  
Defendants. ) MANAGEMENT CONFERENCE  
)  
Current CMC Date: August 8, 2013  
Current CMC Time: 9:00 a.m.  
Location: Courtroom 5, 17<sup>th</sup> Floor,  
450 Golden Gate Ave., San Francisco, CA  
Judicial Officer: Hon. District Judge  
Edward M. Chen  
)

27  
28 **STIPULATION RE REQUEST FOR CONTINUANCE OF CASE**  
29  
30 **MANAGEMENT CONFERENCE**

31 All parties to this matter, including Plaintiff JACKSON NATIONAL LIFE  
32 INSURANCE and Defendants THEODORE AARONS, QUETA AARONS and MONIKA

1 FIMPEL have agreed to pursue private mediation in an effort to avoid expenditure of resources  
2 on formal litigation, which could be better allocated to resolving the claims in this matter.

3 All parties have agreed to retain Hon. Judge William Cahill (Ret.) of JAMS to serve as  
4 a mediator in this matter for mediation to be held on August 5, 2013.

5 This matter is currently set for a Case Management Conference with the Honorable  
6 District Judge Edward M. Chen on August 8, 2013. Pursuant to Judge Chen's Case  
7 Management Order dated June 4, 2013, the Case Management Conference process requires the  
8 parties to expend significant "meet and confer" efforts, as well as effort preparing a *Joint* Case  
9 Management Conference Statement, which is required, under Judge Chen's current Case  
10 Management Order, to be filed no later than August 1, 2013.

11 All parties wish to avoid expenditure of resources on formal litigation processes in this  
12 case if the matter can be resolved at mediation. Therefore, the parties wish to continue the  
13 deadline for the *Joint* Case Management Conference Statement, Initial Disclosures and  
14 Responsive Pleadings.

15 All parties also stipulate that the time for filing Defendants' responsive pleadings will  
16 be extended to August 12, 2013 in order that the parties may have an opportunity to avoid  
17 filing responsive pleadings by resolving the case at the August 5, 2013 mediation.


18 As a result of the foregoing, the parties stipulate and agree that there is good cause to  
19 continue the Case Management Conference currently set for August 8, 2013 at 9:00 a.m. with  
20 District Judge Chen, and therefore, jointly enter into this Stipulation to respectfully request that  
21 Judge Chen continue the Case Management Conference. The Parties further stipulate and  
22 agree that, if Judge Chen is amenable to the requested proposed continuance of the Case  
23 Management Conference, the optimal date for the continued Case Management Conference  
24 would be on September 12, 2013 or September 26, 2013, in order for all counsel to  
25 appropriately prepare for the Case Management Conference if the case does not resolve at  
26 mediation. If the requested dates are not available for Judge Chen, the parties respectfully  
request that the Case Management Conference not be set on September 19, 2013 due to

1 unavailability of counsel on that date. Therefore, if the requested dates are not available, the  
2 parties stipulate and request that an October date would be agreeable.

3  
4 SO STIPULATED.

5  
6 Dated: July 19, 2013

McCARTHY & McCARTHY, LLP

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9 SHERYL A. TRAUM  
10 Attorney for Defendants  
11 THEODORE AARONS and  
12 QUETA AARONS

13  
14 Dated: July \_\_, 2013

CRIST, BIORN, SHEPHERD & ROSKOPH

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17 KRISTOFER W. BIORN  
18 Attorney for Defendant  
19 MONIKA FIMPEL

20  
21 Dated: July \_\_, 2013

JOHNSON, SCHACHTER & LEWIS

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24 LUTHER R. LEWIS  
25 JOSEPH F. KLATT  
26 Attorney for Plaintiff  
JACKSON NATIONAL LIFE INSURANCE

request that the Case Management Conference not be set on September 19, 2013 due to unavailability of counsel on that date. Therefore, if the requested dates are not available, the parties stipulate and request that an October date would be agreeable.

SO STIPULATED.

Dated: July 19, 2013

McCARTHY & McCARTHY, LLP

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SHERYL A. TRAUM  
Attorney for Defendants  
THEODORE AARONS and  
QUETA AARONS

Dated: July 23, 2013

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CRIST, BIORN, SHEPHERD & ROSKOPH

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KRISTOFER W. BIORN  
Attorney for Defendant  
MONICA FIMPEL

Dated: July \_\_, 2013

JOHNSON, SCHACHTER & LEWIS

\_\_\_\_\_  
LUTHER R. LEWIS  
JOSEPH F. KLATT  
Attorney for Plaintiff  
JACKSON NATIONAL LIFE INSURANCE

1 unavailability of counsel on that date. Therefore, if the requested dates are not available, the  
2 parties stipulate and request that an October date would be agreeable.

3  
4 SO STIPULATED.

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6 Dated: July 19, 2013

McCARTHY & McCARTHY, LLP

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8 /s/ Sheryl A. Traum, Esq.

SHERYL A. TRAUM  
Attorney for Defendants  
THEODORE AARONS and  
QUETA AARONS

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11  
12 Dated: July \_\_, 2013

CRIST, BIORN, SHEPHERD & ROSKOPH

13  
14 /s/Kristofer Biorn, Esq.

KRISTOFER W. BIORN  
Attorney for Defendant  
MONICA FIMPEL

15  
16  
17 Dated: July 23, 2013

JOHNSON, SCHACHTER & LEWIS

18  
19 /s/Luther R. Lewis, Esq.

LUTHER R. LEWIS  
JOSEPH F. KLATT  
Attorney for Plaintiff  
JACKSON NATIONAL LIFE INSURANCE

**[PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

Upon considering the above STIPULATION RE REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE submitted by the parties, and upon finding that there is good cause for the requested continuance, the Court hereby continues the Case Management Conference for this matter to: September 26, 2013 at 9:00 a.m.

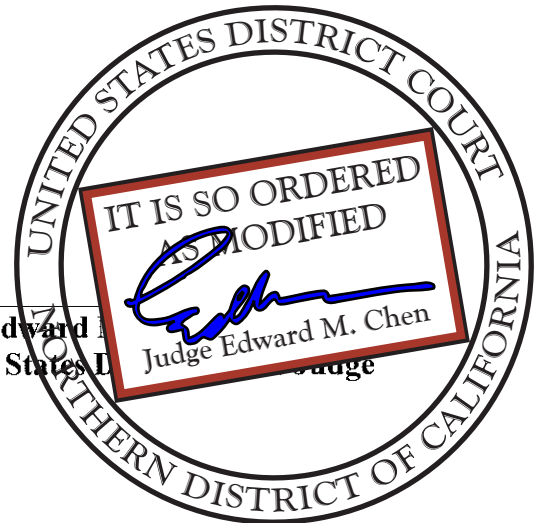
If the matter does not resolve at the August 5, 2013 Mediation, Counsel shall file the required *Joint* Case Management Conference Statement no later than: September 19, 2013

If the matter does resolve at the August 5, 2013 Mediation, Counsel shall promptly notify the Court of the settlement prior to the date when the Case Management Conference Statement is due.

SO ORDERED.

Dated: July 24, 2013

Hon. Edward M. Chen  
United States District Judge



**PROOF OF SERVICE**

*Jackson National Life Insurance Company v. Monika M. Fimpel, et al.*  
**USDC Case No.: 3:13-CV-01648 EMC**

**STATE OF CALIFORNIA, CITY AND COUNTY OF ALAMEDA**

I DECLARE THAT: I am employed in the County of Alameda, California. I am over the age of eighteen years and not a party to the within entitled cause; my business address is 492 Ninth Street, Suite 220, Oakland, California 94607.

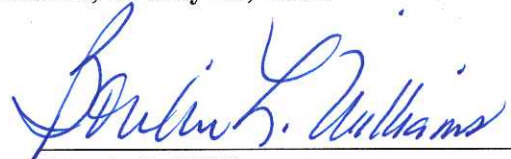
On **July 23, 2013**, I served a true copy of the attached:

**STIPULATION RE REQUEST FOR CONTINUANCE OF CASE MANAGEMENT  
CONFERERNC; [PROPOSED] ORDER RE CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

on the involved parties in said cause, in the manner indicated as follows:

**[X]** **BY (CM/ECF) Electronic Case File System** with the United States District Court, Northern District of California, to all parties listed on the Court's proof of electronic service.

I declare under penalty of perjury that the foregoing is true and correct, and that this Declaration was executed at Oakland, California, on **July 23, 2013**.



Bonnie L. Williams